



FEDERAL COMMUNICATIONS COMMISSION

Enforcement Bureau
Western Region
18000 Studebaker Road, Suite 660
Cerritos, CA 90703
(562) 860-7474

April 23, 2010

ABC Holding Company, Inc.
Licensee of KABC-TV
500 Circle Seven Drive
Glendale, CA 91201

Reference File No.: EB-10-LA-0020

Letter of Inquiry

The purpose of this letter is to follow up on issues resulting from an inspection of KABC-TV, Los Angeles, California, on February 25, 2010 by agents of the Enforcement Bureau's Los Angeles Office. At the time of the inspection, approximately 12:00 p.m., the agents, who did not identify themselves as FCC agents, attempted to obtain access to the KABC-TV public inspection file located at the KABC-TV main studio location in Glendale, California. The agents were instructed by KABC-TV security guards and personnel that an appointment was necessary in order to view the public inspection file. One of the agents telephoned the designated staff person to make such an appointment but was only able to leave a message for that individual. Almost three hours later, the KABC-TV staffer telephoned the agent and told him that he needed to make an appointment to view the public inspection file as well as a separate appointment to view the station's political file. The agents returned to the KABC-TV main studio on February 26, 2010, and were again told that they needed to make an appointment to view the public inspection file. They were ultimately allowed access to the file once one of the agents identified himself as an FCC agent and showed the security guard his FCC credentials.

Section 73.3526 of the Rules ("Rules") requires every licensee of an AM, FM, or TV broadcast station to maintain a public inspection file at its main studio and make that file available for public inspection at any time during regular business hours.¹ To resolve the issues with respect to this TV station, and pursuant to Section 403 of the Communications Act of 1934, as amended,² and pursuant to Section 73.3526 the Commission's Rules,³ provide a complete explanation to the following questions along with the requested information and any relevant documents:

(1) Explain your policy concerning public access to the KABC-TV public inspection file. How does the station assure the public access to the public inspection file? How does this policy comply with Section

¹ 47 C.F.R. § 73.3526.

² 47 U.S.C. § 403.

³ 47 C.F.R. § 73.3526.

73.3526(c) of the Rules and the Commission's precedent concerning public access to a station's public inspection file? How long has this policy been in effect? What date did KABC-TV begin this policy?

(2) Is it your policy to require the public to make an appointment to access the station's public inspection file or political file? Explain the procedure you use to maintain this policy. How long has this policy been in effect? What date did KABC-TV begin this policy?

(3) How long does the appointment process take? How many days in advance must an appointment be made to view the KABC-TV public inspection file or political file? What is the average wait time between the appointment and the viewing of the file?

(4) Provide any other information that may be relevant to this inquiry.

Submit a sworn affidavit or declaration under penalty of perjury, signed by a principal, officer or director of ABC Holding Company, Inc., attesting to the truth and accuracy of the response. Any false statement made knowingly and willfully in reply to this inquiry is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

The Privacy Act of 1974⁵ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

Submit the response to the FCC at the address in the letterhead within fourteen (14) days from the date of this letter.

Sincerely,



Nader Haghighat
District Director
Los Angeles District Office
Western Region

⁴ 18 U.S.C. §§ 1001 *et seq.*; *see also* 47 C.F.R. § 1.17.

⁵ P.L. 93-579, 5 U.S.C. § 552a(e)(3).